

ORDINANCE NO. 563 N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES ADOPTING  
THE SEWERAGE SYSTEM OPERATIONS CODE AS PROVIDED IN SECTION 6491.1  
OF THE HEALTH AND SAFETY CODE OF THE  
STATE OF CALIFORNIA

WHEREAS, the rules and regulations relating to the operations of the sewerage system of the City of El Paso de Robles, and matters incidental thereto, are contained in Chapter 14.08 of the Municipal Code of the City of El Paso de Robles and amendments thereto, along with policy statements contained in the minutes of the City Council meetings, along with rules and regulations any and all of which may not otherwise be codified; and

WHEREAS, Section 6491.1 and 6491.2 of the Health and Safety Code of the State of California grants authority to the City to adopt a Maintenance and Operation Code consistent with Section 50022.1 to 50022.8 of the Government Code of the State of California; and

WHEREAS, based on the information contained in the initial study prepared for this proposed ordinance, the City Council found that there was no substantial evidence that it would have a significant effect on the environment and adopted a Negative Declaration in accordance with the California Environmental Quality Act.

NOW, THEREFORE, the City Council of the City of El Paso de Robles does ordain as follows: that Chapter 14.08, Sections 14.08.010 through 14.08.240, together with all amendments thereto and all policy statements in connection with said rules and regulations of the City, along with all sewer "will serves" issued twelve (12) months or more prior to the adoption of this Ordinance, shall be repealed when this Ordinance becomes effective.

The Operations Code is hereby adopted and shall supplant all prior ordinances, amendments thereto, and policy statements relating to the rules and regulations for the operation of the City of El Paso de Robles sewerage system and matters incidental thereto. Said Operations Code contains the following penalty clauses:

Section 1 General Provisions. It shall be unlawful for any person to place, deposit or permit to be deposited in an unsanitary manner upon public or private property within the City, or in any area under the jurisdiction of said City any domestic or industrial sewage.

It shall be unlawful to discharge to any stream or water course, any sewage, industrial wastes, or other polluted waters, except where suitable treatment has been provided in accordance with provisions of this or other applicable agency codes.

Except as the Operations Code may otherwise permit, it shall be unlawful for any person to construct or maintain any privy, privy vault, septic tank, cesspool, seepage pit or other facility intended or used for the disposal of sewage. No building, industrial facility or other structure shall be occupied until the owner of the premises has complied with all rules and regulations of the City.

All new buildings shall connect to the sewerage system and all land development projects shall include provisions for future buildings to connect to the sewerage system. Connection to the proper sewerage system shall be made in accordance with provisions of the Operations Code within 180 calendar days after date of official notice to do so. When a septic or other private system has been the method of sewer disposal, said system shall be properly abandoned within 60 calendar days of connection to the City's sewerage system.

Section 2 Prohibited Substances. Except as herein-after provided, no persons shall discharge or cause to be discharged any of the following described waters or wastes to any sanitary sewer.

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## ARTICLE 1: GENERAL REQUIREMENTS AND PROCEDURES

### 1.1 DISPOSAL OF WASTES:

It shall be unlawful for any person to place, deposit or permit to be deposited in an unsanitary manner upon public or private property within the City, or in any area under the jurisdiction of said City any domestic or industrial sewage.

### 1.2 TREATMENT OF WASTES REQUIRED:

It shall be unlawful to discharge to any stream or water course, any sewage, industrial wastes, or other polluted waters, except where suitable treatment has been provided in accordance with provisions of this or other applicable agency codes.

### 1.3 UNLAWFUL DISPOSAL:

Except as herein provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, seepage pit or other facility intended or used for the disposal of sewage.

### 1.4 OCCUPANCY PROHIBITED:

No building, industrial facility or other structure shall be occupied until the owner of the premises has complied with all rules and regulations of the City.

### 1.5 SEWER REQUIRED:

All new buildings shall connect to the sewerage system and all land development projects shall include provisions for future buildings to connect to the sewerage system. An individual lateral sewer shall be provided for each building, except when a building is located in the rear of another building on an interior lot, permission may be granted by the City to connect both buildings to the same lateral to main sewer, provided the buildings are under the same ownership or controlled by sufficient agreement to assure compliance by each building to the provisions of this code.

Connection to the proper public sewer shall be made in accordance with provisions of this Code within 180 calendar days after date of official notice to do so. When a septic or other private system has been the method of sewer disposal, said system shall be properly abandoned within 60 calendar days of connection to City sewerage system. All costs and expenses incident to the installation, connection, and maintenance of the building sewer shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly arise from the installation or maintenance of the building sewer.

#### **1.6 CLEANOUTS:**

All plumbing systems or building sewers shall be provided and maintained with a cleanout, raised to grade. Each premise shall install and leave in place a Test-Y clean-out at and within the public easement abutting premise. All cleanouts shall meet the Standard Specifications of the City and shall be maintained water tight.

#### **1.7 PLUMBING BELOW GRADE:**

In all buildings in which there are plumbing fixtures at an elevation too low to permit drainage by gravity, from said fixtures to the public sewers, the sewage from said fixture shall be pumped and discharged to the public sewer at the owner's expense. In all buildings where the floor elevation is below the rim elevation of the nearest upstream manhole, provisions for a backflow protective device shall be made in accordance with this Code. A backflow protective device shall also be installed in a plumbing system, building sewer or lateral sewer and may include a back-up check valve wherever and whenever the City may deem advisable.

#### **1.8 MAINTENANCE OF BUILDING AND LATERAL SEWER:**

Building sewers shall be maintained by the owner of the property served thereby.

#### **1.9 MANHOLES AND SEWER CONSTRUCTION:**

Any person who undertakes to pave, resurface, regrade or do any work on any street that contains City sewers shall not cover up or conceal any manhole, or structure, or their covers; every care must be used to protect them. In the event said work results in damage to or a change of grade in the area of the manhole or structure, the person performing the work shall be responsible, at his own expense, for repairing or modifying the manhole or structure to meet the new grade. Before any work is performed to City manholes or structures, the Public Works Department of the City shall be contacted and all work shall be done under a permit at the direction of the City, and in accordance with City standards.

No person shall construct a building sewer, lateral sewer or make a connection with any public sewer without first obtaining a written permit from the City and paying all fees and connection charges as required.

#### **1.10 SEPTIC TANK:**

Permission may be granted by the City for a septic tank to be constructed to serve a building that is located in an area where sewers are not available, as determined by the City, when consistent with the provisions provided in this Code. This permission will not over-rule negative action for septic tank installation by the Health Department or Water Quality Control Board.

### 1.11 SEWAGE BACKFLOW PROTECTIVE DEVICES:

To assist in the protection of health and property, a backflow valve or overflow device shall be installed in the sewer serving any building where the lowest floor elevation (containing plumbing fixtures) will be less than one (1) foot above the rim of the upstream manhole or flushing inlet.

When an overflow device is installed, the elevation of discharge of said installation shall be at least one (1) foot below the lowest floor elevation containing a plumbing fixture.

Type of backflow device to be installed shall be approved by the City in accordance with Building Code requirements.

### 1.12 VIOLATION UNLAWFUL:

Except as this Operations Code may otherwise permit, following the effective date of this Operations Code, it shall be unlawful for any person to connect to the City sewerage facilities except in the manner provided by this Operations Code. Any person violating the provisions of this Operations Code shall be deemed guilty of a misdemeanor unless otherwise deemed to be an infraction by City ordinance or Resolution and shall, upon conviction thereof, be punished by a fine consistent with the maximum provided for a misdemeanor, or by a fine set as an infraction, or by imprisonment in the County Jail.

All persons shall be held strictly responsible for any and all acts of agents or employees done under the provision of this Code or any other rule or regulation of the City. Upon being notified by the City Engineer of any defect arising in any sewer or of any violation of this Code, the person or persons having charge of said work shall immediately correct the same.

Continued habitation of any building or continued operation of any facility in violation of the provisions of this Code or any other rule or regulation of the City is hereby declared to be a public nuisance. The City may cause proceedings to be brought for the abatement of the occupancy of the building or facility during the period of such violation.

### 1.13 AUTHORITY TO DISCONNECT:

In the event of a failure to pay the charges as provided in the Operation Code for sewer service, the City shall have authority to disconnect the sewer service. When service has been disconnected as provided, the cost or estimated cost of disconnection and reconnection to the system shall be deposited by the user within the City before such user is reconnected to the system. The City shall refund any part of the deposit remaining after payment of all costs of disconnection and reconnection.

During the period of such disconnection, habitation of such premises by human beings shall constitute a public nuisance, whereupon the City shall cause proceedings to be brought for the abatement of the occupancy of said premises by human beings during the period of such disconnection. In such event, and as a condition of reconnection, there is to be paid to the City a reasonable attorney's fee and cost of suit arising in said action.

The City hereby declares that the foregoing procedures are established as a means of enforcement of the terms and conditions of its Code, rules and regulations, and not as a penalty.

#### 1.14 ADJUSTMENTS AND EXCEPTIONS:

The City Council hereby retains the right to grant adjustments and exceptions to the provisions of this Operations Code in order to vary and modify the strict application thereof in cases in which there are practical difficulties or unnecessary hardships in the way of such strict application. Application for any adjustment or exceptions shall be made to the City Council in the form of a written application submitted to the City Manager. However, no such adjustment or exception shall be allowed to contravene State or Federal standards or the City's technically based local standards.

## ARTICLE 2: CONSTRUCTION OF SEWERS

### 2.1 CONTRACTOR'S REGISTRATION:

It shall be unlawful for any person to install or construct any sewer for connection to, or make connection to, the sewer system of the City, who is not a master plumber or contractor, whichever is applicable, licensed under the State Contractor's License Law. All such contractors must register with the City prior to commencing or carrying out any such work within the City or connection to the City Sewerage System.

### 2.2 CONTRACTOR'S INSURANCE:

All such contractors shall file with the City:

a) Public Liability and Property Damage Insurance - Certificate of Public Liability Insurance in the amount of Five Hundred Thousand (\$500,000) Dollars, and Property Damage Insurance in the amount of One Hundred Thousand (\$100,000) Dollars, each accident, and Two Hundred Thousand (\$200,000) Dollars aggregate and an Endorsement naming the City as additional insured. The foregoing amounts are minimum and may be increased by the City Council.

b) Worker's Compensation Insurance - Compensation Policy.

c) Effective Period - Insurance to be maintained in effect for a minimum of one year after acceptance of work.

### 2.3 FAITHFUL PERFORMANCE, LABOR AND MATERIALS, AND MAINTENANCE BONDS:

All contractors or installers shall file with City Engineer a Faithful Performance Bond in the amount of 100% and a Labor and Materials Bond in the amount of 50% of the contract for City-let jobs and 100% of the City Engineer's estimate for installer-let contracts. Bonds to be on forms provided or approved by City. Bonds to remain in effect for a minimum of one year after acceptance of work and will not be cancelled or released by the City until a Maintenance Bond in an amount of 10% of the contract is posted with the City.

### 2.4 COMPLIANCE WITH LOCAL REGULATIONS:

Any persons constructing a sewer within a public way or easement shall comply with all State, County, or City laws, ordinances, rules and regulations pertaining to the cutting of pavement, excavation, opening, barricading, lighting and protecting of trenches, backfilling and repaving thereof and shall obtain all permits and pay all fees required by the City prior to the issuance of a permit.

The applicant shall maintain such barriers, flagmen, lights and signs as are necessary to give warning to the public at all times that a sewer is under construction and of each dangerous condition to be encountered as a result thereof.

He shall also likewise protect the public in the use of the sidewalk against any such conditions in connection with the construction of the sewer.

Streets, sidewalks, parkways and other property disturbed in the course of the work shall be reinstalled in a manner satisfactory to the City.

## **2.5 INSPECTIONS:**

No sanitary sewer construction work shall be conducted within the City without the approval of the City Engineer or designated representative.

No construction shall be covered until it has been inspected and approved by the Inspector assigned by the City Engineer. After approval, the contractor shall backfill trench without delay and restore surface to original condition. Construction that has been covered without approval of the City shall, at the City Engineer's request, be uncovered for inspection. In all cases where inspection is required, the contractor shall give at least two (2) working days advance notice to the City Engineer stating the time when work will start.

## **2.6 RESPONSIBILITY FOR DEFECTS:**

All persons performing work connected with the City shall be held strictly responsible for any and all acts of agents, subcontractors, and employees in connection with said work.

Said person, upon being notified in writing by the City Manager of any defects arising from construction or of any violation of the provisions of this Operations Code, shall take immediate steps to correct such defect or violation.

## **2.7 CONDEMNED WORK:**

When any work has been inspected and the work condemned and no certification of said satisfactory completion given, a written notice to that effect shall be given, instructing the owner of the premises, or the agent of such owner, to repair the sewer or other work authorized by the permit in accordance with the ordinances, rules and regulations of the City. When failure to repair creates a threat to health, safety or welfare, or creates a public nuisance, the City shall have the right of entry to the work site for the purpose of repair or abatement, and shall place a lien upon the property with the assessor for the purpose of recovery of all costs.

## **2.8 LIABILITY:**

The City, its officers, and employees shall not be liable for personal injury or loss of life or damage to any property consequent to the performance of any of the herein or hereinafter described work by any such contractor, installer, or applicant for sewer service. The contractor, installer, or applicant shall save the City, its officers and employees free and harmless from any such liability imposed by law upon the City, its officers and employees, including all costs, expenses, fees and interest incurred to legal defense of any action to enforce such liability or in the enforcement of this provision. Contractor, installer, or applicant shall be solely liable for any defects in the performance of work, or any failure which may develop therein.

## **2.9 STANDARD SPECIFICATIONS AND DETAIL:**

The City has adopted Standard Specifications and Details for all construction of sewers and appurtenances, which is on file in the office of the City

Engineer. Said Standard Specifications and Details are hereby referred to and made a part of this Operations Code by reference.

#### **2.10 PLANS, PROFILES AND SPECIFICATIONS REQUIRED:**

The application for a permit for public sewer construction shall be accompanied by complete plans, profiles and specifications, complying with all applicable ordinances, rules and regulations of the City prepared by a Registered Civil Engineer showing all details of the proposed work, based on an accurate survey. The application, together with the plans, profiles and specifications, shall be examined by the City Engineer or designated Civil Engineer of the City who shall, within fifteen (15) days, approve them as filed or require them to be modified as is deemed necessary for proper installation, unless the sewers are a part of tract improvements, in which case they will be reviewed and approved along with the subdivision review and approval process.

"As Built" drawings showing the actual location of all mains, structures, laterals and cleanouts shall be filed with the City before final acceptance of the work.

#### **2.11 COMPLETION OF SEWER REQUIRED:**

Before any acceptance of any sewer line by the City prior to the admission of any sewage into the system, the sewer line shall be tested and shall be completed in full compliance with all requirements of the Standard Specifications and Details.

#### **2.12 MASTER PLAN:**

Upon the adoption of an official Master Plan for trunk systems within the City, such Master Plan shall be on file in the office of the City Engineer, and shall be made a part of this Operations Code by reference.



## ARTICLE 3: CONSTRUCTION OF SEWERS BY CITY-LET CONTRACT

### 3.1 AUTHORITY:

Sewers may be constructed by City-Let Contract when in the opinion of the City Council, it would be in the best interest of the City to do so.

### 3.2 PLANS, PROFILES, AND SPECIFICATIONS:

Shall be prepared by a Registered Civil Engineer and approved by the City Engineer.

### 3.3 CONTRACT:

For construction shall be let in accordance with the provisions of this Code, and in accordance with City Purchasing Policy.

### 3.4 CONTRACTOR SHALL FILE:

At the time required in the Specifications for said job, the following:

- a) Insurance in accordance with this Code.
- b) Bonds in accordance with this Code.
- c) Contract fully executed.

## ARTICLE 4: CONSTRUCTION OF SEWERS BY OTHERS WHERE SEWERS DO NOT EXIST

### 4.1 AUTHORIZATION:

To construct sewers and connect to the sewer system must be obtained from the City.

### 4.2 REQUEST FOR AUTHORIZATION:

Is to be made to the office of the City Engineer. All construction shall be in accordance with the Standard Specifications and Master Plan of the City.

### 4.3 PLANS, PROFILES AND SPECIFICATIONS:

Shall be prepared at the expense of the installer by a Civil Engineer licensed in the State of California and shall be approved by the City.

### 4.4 PAYMENTS OF FEES:

An installer shall pay in advance all necessary plan checking and inspection fees. The City shall have the right to charge, and the installer shall pay, the necessary administrative and engineering and legal fees incurred by the City for work performed.

### 4.5 CONTRACT FOR CONSTRUCTION:

The installer shall call for bids, and let contracts, but shall not begin construction until after receiving written approval of the plans and specifications from the City.

### 4.6 AGREEMENT:

An installer shall, prior to construction, enter into an agreement with the City covering, but not limited to, the following:

- a) Construction of sewers in accordance with approved Plans and Specifications.
- b) Obtaining the necessary rights-of-way and easements, and granting same to City.
- c) Payment for all costs involved due to said construction.
- d) Official acceptance into City Sewerage System all sewers and appurtenances.
- e) Indemnification of the City per this Code.
- f) Bonds in accordance with this Code.
- g) Payment of all fees, including plan checking and inspection.
- h) Other items that individual conditions may dictate.

#### 4.7 LATERAL SEWERS:

Must be constructed to serve each parcel of land or building in the development. House sewers shall not be connected to these lateral sewers until permits for connection have been issued by the City.

#### 4.8 OVERSIZE AND OFF-DEVELOPMENT SEWERS:

May be required by the City to comply with the Master Plan. The minimum size of a main sewer shall be determined by the City, but in no case shall a main sewer be less than eight (8") inches. Reimbursement for pipe size required of the developer in excess of twelve (12") inches may be granted by the City.

a) Any liquid or vapor having a temperature higher than 150 degrees F.

b) Any water or waste shall not contain more than 20 parts per million of oil or grease.

c) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, vapor, or gas.

d) Any garbage that has not been properly shredded.

e) Any ashes, cinders, pulp, sand, cement, mud, straw, shavings, metal, glass, rags, feathers, tar, asphalt, resins, plastics, wood, animal hair, paunch, manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewer system.

f) Any waters or wastes having a pH factor lower than 5.5 or higher than 9.0, or having any other corrosive property capable of causing damage or hazard to personnel, structures, and equipment of the City's sewer system.

g) Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant or any other part of the sewer system.

h) Any waters or wastes containing suspended solids or soluble solids of such character and quality that unusual attention or expense is required to handle such material at the sewage treatment plant.

i) Any noxious or malodorous solids, liquids, gases or substances which either singly or by interaction with other wastes are capable of creating a public nuisance or hazard to life, or which may be sufficient to prevent entry into a sewer for its maintenance or repair.

j) Radioactive wastes.

k) Any water or wastes containing dissolved sulfates in excess of 200 parts per million.

l) Unscreened Industrial Wastes - screen size shall be as determined necessary by the City Engineer.

m) Discolored Materials: Wastes with objectionable color not removable by the treatment process. Such color shall be objectionable if it causes the plant effluent to fail to meet State or EPA standards for turbidity or light transmittance, or if it causes esthetically undesirable discoloration of the receiving waters.

n) Septic tank sludge or effluent.

**ARTICLE 5: CONSTRUCTION OF BUILDING OR LATERAL SEWERS WHERE  
MAIN SEWERS EXIST**

**5.1 APPLICATION:**

For a building or lateral sewer to be constructed shall be made at the office of the City Building Official by the property owner or his agent.

**5.2 CONSTRUCTION:**

The City may allow an installer to construct lateral sewers to existing main sewers to serve parcels in or adjacent to a new development when installer is also constructing main sewers within a new development in accordance with this Code. In constructing and connecting lateral sewers to a main sewer which exists in the street, an encroachment permit will be required from either the City or the County, depending on the location of the particular sewer.

**5.3 FEES:**

Shall be paid at the time application is made.

## ARTICLE 6: USE OF SEWERS

### 6.1 SEPARATION OF WASTE:

It is unlawful for any person to cause or permit:

- a) Storm water to be discharged into the sewerage system of the City.
- b) Domestic or industrial sewage to be discharged into any storm water system within the City.

### 6.2 USE OF SEWERS FOR OTHER THAN DOMESTIC SEWAGE:

Permission to discharge into the sewerage system of the City anything but domestic sewage will be granted only in accordance with and in consideration of the conditions of each case, and shall be subject to reasonable rules, regulations, and requirements to prevent excessive alkalinity or acidity of the effluent, or excessive discharge of organic or inorganic substances in solution or in suspension, whether liquid, semi-solid or solid.

### 6.3 PROHIBITED SUBSTANCES:

Except as hereinafter provided, no persons shall discharge or cause to be discharged any of the following described waters or wastes to any sanitary sewer:

- a) Any liquid or vapor having a temperature higher than 150 degrees F.
- b) Any water or waste shall not contain more than 20 parts per million of oil or grease.
- c) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, vapor, or gas.
- d) Any garbage that has not been properly shredded.
- e) Any ashes, cinders, pulp, sand, cement, mud, straw, shavings, metal, glass, rags, feathers, tar, asphalt, resins, plastics, wood, animal hair, paunch, manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewer system.
- f) Any waters or wastes having a pH factor lower than 5.5 or higher than 9.0, or having any other corrosive property capable of causing damage or hazard to personnel, structures, and equipment of the City's sewer system.
- g) Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant or any other part of the sewer system.

h) Any waters or wastes containing suspended solids or soluble solids of such character and quality that unusual attention or expense is required to handle such material at the sewage treatment plant.

i) Any noxious or malodorous solids, liquids, gases or substances which either singly or by interaction with other wastes are capable of creating a public nuisance or hazard to life, or which may be sufficient to prevent entry into a sewer for its maintenance or repair.

j) Radioactive wastes.

k) Any water or wastes containing dissolved sulfates in excess of 200 parts per million.

l) Unscreened Industrial Wastes - screen size shall be as determined necessary by the City Engineer.

m) Discolored Materials: Wastes with objectionable color not removable by the treatment process. Such color shall be objectionable if it causes the plant effluent to fail to meet State or EPA standards for turbidity or light transmittance, or if it causes esthetically undesirable discoloration of the receiving waters.

n) Septic tank sludge or effluent.

o) Any wastewater containing in excess of:

8.0	mg/l	aluminum
0.30	mg/l	arsenic
0.15	mg/l	beryllium
0.25	mg/l	cadmium
0.075	mg/l	cobalt
0.30	mg/l	copper
0.05	mg/l	chromium
0.20	mg/l	cyanide
1.50	mg/l	fluoride
7.50	mg/l	iron
0.05	mg/l	lead
0.115	mg/l	lithium
0.005	mg/l	mercury
0.30	mg/l	nickel
0.01	mg/l	selenium
2.00	mg/l	vanadium
2.00	mg/l	zinc
0.20	mg/l	M.B.A.S. (foaming agent)
0.001	mg/l	phenol
20.00	mg/l	ammonia
200.00	mg/l	sulfate
2.50	mg/l	boron

Any wastewater, other than water-softening regeneration brine, containing in excess of:

1000.0	mg/l	total dissolved solids
200.0	mg/l	sodium
150.0	mg/l	chloride

p) Commercial or industrial plants discharging water-softening brine shall be restricted in the concentrations of total dissolved solids, sodium, or chloride of the wastewater discharged. All plants shall make application to the city for a discharge permit. All applications shall include such things as daily water volume, pounds of sodium chloride, volume of portable exchange units regenerated, grains of hardness removed, method of disposal of brine waste and methods of internal controls to assure compliance of any established discharge limitations.

q) Infectious Wastes:

1) Infectious wastes from hospitals, clinics, and mortuaries may be disposed of to the sanitary sewer system subject to the following limitations and requirements:

a) Pathologic specimens may not be disposed of to the sanitary sewer system.

b) The material shall be ground by an approved grinder having the capabilities of meeting or exceeding the following fineness: at least 40% shall pass a No. 8 sieve; at least 65% shall pass a No. 3 sieve, and 100% shall pass a 3/8" screen opening.

c) Ground organic kitchen waste from hospital food preparation and disposal facilities excluding all paper and plastic items may be discharged into the sanitary sewer system.

d) Disposable hypodermic needles, syringes, and associated articles following their use in hospitals, out-patient clinics, medical and dental offices, etc., may be ground and discharged to the sanitary sewer system subject to the same limitations described above.

e) The materials must not violate any other requirements of these rules and regulations.

2) The following shall not be discharged to the sanitary sewer system by any means:

a) Solid wastes generated in the rooms of patients who are isolated because of a suspected or diagnosed communicable disease.

b) Recognizable portions of the human anatomy.

c) Wastes excluded by other provisions of this title except as specifically permitted in this section.

3) All hospitals within the limits of the City desiring to dispose of a ground "infectious waste" by discharge into facilities of the City shall first have a valid Hospital Waste Discharge Permit. All applicants for such permits shall fill out completely the application form, pay the appropriate fee, receive a copy of the City regulations governing discharge of ground hospital wastes, and shall agree in writing to abide by the regulations. The Hospital Waste Discharge Permit shall be valid for one year from date of issuance.



4) Nothing in this section shall be construed to limit the authority of the Health Officer of San Luis Obispo County to define wastes as being infectious.

#### 6.4 CONDITION TO USE SEWER

As a condition of maintaining any connection for a lateral or other sewer line to the sewer system, the users of the system and all future applicants for permission to connect, shall be required to prevent the discharge of the prohibited substances into the laterals or other sewer lines connected with the City sewer and sewer treatment system and all such users shall take reasonable and necessary measures, as may from time to time be prescribed by the City Council to make effective enforcement of this prohibition.

NOTE: ANY REQUIREMENT IMPOSED BY THE WATER QUALITY CONTROL BOARD THAT IS GREATER THAN OR IN ADDITION TO THE ABOVE SHALL BE THE CONTROLLING REQUIREMENT.

#### 6.5 DISCONNECTION FROM SEWER:

In the event a lateral or other sewer line connected with the City's sewerage system is found to be accepting any of the prohibited substances, said lateral or other sewer lines may be subject to immediate disconnection from the sewer system.

When service has been disconnected, the City may estimate the cost of disconnection and reconnection to the system, and such user shall deposit the cost, as estimated, of disconnection and reconnection before such user is reconnected to the system.

None of the foregoing shall be construed as prohibiting the City from declaring violations of any part of this code, a misdemeanor or other infraction punishable by a fine and/or imprisonment.

#### 6.6 WASTE CONDITIONS REQUIRING SPECIAL APPROVAL:

The admission into the sewer system of any waters or wastes having any of the following characteristics shall be subject to the review and approval of the City Council.

- a) Having a peak flow greater than 2% of peak daily sewage flow of the City.
- b) Having an average daily flow greater than 1% of the average daily sewage flow of the City.
- c) Any substance which will cause the Waste Water Treatment Plant effluent and by-products, such as sludge, to be unsuitable for reclamation and reuse. In no case shall a substance discharged to the Waste Water Treatment Plant cause the plant to be in violation of sludge use or disposal guidelines and regulations.
- d) Any substance which will cause the City Sewerage System to violate its operating permit.

When the supervisor of the Waste Water Treatment Plant determines that a user is contributing any of the above-mentioned substances in such

amounts as to interfere with the operation of the Waste Water Treatment Plant, the supervisor shall:

- 1) Advise the user of the impact of the contribution to the Waste Water Treatment Plant;
- 2) Develop effluent limitations for the user to correct;
- 3) Place limits on rate and time of discharge or requirements for flow regulations and equalization; or
- 4) Take any other action necessary to eliminate the interference.

#### **6.7 AUTHORITY TO REQUIRE PRELIMINARY TREATMENT:**

Where necessary in the opinion of the City Engineer and upon the order of the City Council, the owner shall provide, at owner's expense, such preliminary treatment as may be necessary to:

- a) Reduce objectionable characteristics or constituents to within the maximum limits provided for in Prohibited Substances, this Article.
- b) Control the quantities and rates of discharge of such waters or wastes.
- c) Reduce the biochemical oxygen demand to 250 parts per million and the suspended solids to 250 parts per million by weight.

#### **6.8 PRELIMINARY TREATMENT:**

Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the City Engineer consistent with requirements of Water Quality Control Board Standards, and no construction of such facilities shall commence until said approvals are obtained in writing. Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

#### **6.9 HOLDING TANK WASTE:**

A user proposing to discharge holding tank waste into a community sewer must secure a permit. Unless allowed by the City under the terms and conditions of the permit, a separate permit must be secured for each separate discharge. This permit will state the specific location of discharge, the time of day the discharge is to occur, the volume of the discharge, and the wastewater constituents and characteristics. If a permit is granted for discharge of such waste into a community sewer, the user shall pay the applicable user charges and fees and shall meet such other conditions as required by the City.

#### **6.10 GREASE, OIL OR SAND INTERCEPTORS:**

Shall be provided when, in the opinion of the City Engineer and City Building Official, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand and other harmful ingredients. All interceptors shall be of type and capacity approved by the City Engineer, and shall be located as to be readily and easily accessible for cleaning and inspection.

Grease and oil interceptors shall be constructed of impervious materials, capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, water-tight, and equipped with easily removable covers. Interceptors shall be effectively trapped and vented.

Where installed, all grease, oil, and sand interceptors shall be maintained by the owner at owners expense, in continuously efficient operation at all times.

#### **6.11 CONTROL MANHOLE:**

When required by the City, the owner of any property discharging industrial wastes shall install a suitable control manhole in the portion of the building sewer located on private property to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the City Engineer. The manhole shall be installed by the owner at owners expense, and shall be maintained so as to be safe and accessible at all times.

All measurements, tests, and analyses performed shall be in accordance with "STANDARD METHODS FOR THE EXAMINATION OF WATER AND SEWAGE" and shall be determined at the control manhole provided for above, or upon suitable samples taken at the nearest downstream manhole in the public sewer when no special control manhole has been required.

#### **6.12 SPECIAL HANDLING OF INDUSTRIAL WASTES:**

No statement contained in this Operation Code shall be construed as preventing special agreement or arrangement between the City and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City for treatment subject to payment therefore by the industrial concern. However, no special agreement between the City and any user shall be allowed to contravene State or Federal standards or the City's technically based local standards.

#### **6.13 CONNECTION OF SWIMMING POOLS AND EQUIPMENT:**

It shall be unlawful for any person to discharge the contents of a swimming pool into a sanitary sewer except in the manner specified herein. The size of pipe carrying discharge water shall not be larger than two (2) inches and shall not be under a head to exceed twenty (20) feet. If the water is discharged by pumping, the rate of flow shall not exceed one hundred (100) gallons per minute. Each swimming pool discharging to a sewer system line shall be equipped with an approved separator to preclude any possibility of a backflow of sewage into the swimming pool or piping system.

#### **6.14 ADMISSION TO PROPERTY:**

Whenever it shall be necessary for the purposes of these rules and regulations, the City may enter upon any property or premises at reasonable time for the purpose of (1) copying any records required to be kept under the provisions of this Ordinance, (2) inspecting any monitoring equipment or method, and (3) sampling any discharge of wastewater to the treatment works. The City may enter upon the property at any hour under emergency circumstances.

#### **6.15 PROTECTION FROM ACCIDENTAL DISCHARGE:**

Each industrial user shall provide protection from accidental discharge of prohibited materials or other wastes regulated by this Code. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or operator's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the City for review, and shall be approved by the City before construction of the facility. Review and approval of such plans and operating procedures shall not relieve the industrial user from responsibility to modify his facility as necessary to meet the requirements of this Code.

#### **6.16 REPORTING OF ACCIDENTAL DISCHARGE:**

If, for any reason, a user does not comply with or will be unable to comply with any prohibition or limitation in this Code, the user responsible for such discharge shall immediately notify the City so that corrective action may be taken to protect the treatment system. In addition, a written report addressed to the City Manager detailing the date, time, and cause of the accidental discharge, the quantity and characteristics of the discharge and corrective action taken to prevent future discharges, shall be filed by the responsible industrial user within five (5) days of the occurrence of the noncomplying discharge.

Such notification will not relieve users of liability for any expense, loss, or damage to the sewer system, treatment plant, or treatment process, or for any fines imposed on the City on account thereof under Section 13350 of the California Water Code or for violations of Section 5650 of the California Fish and Game Code.

## ARTICLE 7: CONSTRUCTION OF SEPTIC TANK OR PRIVATE SEWAGE DISPOSAL SYSTEM

### 7.1 GENERAL PROVISIONS:

It shall be the GOAL of the City to provide the City's Sewerage System to all premises within the boundaries of the City. Permission to construct a Septic Tank and Leach Line or other private sewage disposal system may be granted for a period of 5 years from the adoption of this Code only when the provisions of this Code have been met.

### 7.2 PERMIT:

When it has been determined by the City Council that sewers are not available to serve a given premise which is within the City, the owner meeting provisions of this Code, may request of the City Council a permit granting permission for the construction of a septic tank and leach line or private disposal system to serve said premise. This permission will not over-rule negative action for installation by the Water Quality Control Board or Health Department. Permit when issued shall be subject to the provision of this Code as contained in Article 8.6.

### 7.3 PERMIT ELIGIBILITY:

No permission shall be granted after 5 years from this Code adoption and immediately upon adoption permission may be granted only to owners of premises which meet all of the following criteria:

- a) Be a premise, as defined by this Code, created prior to the adoption of this Code; and
- b) Contain acreage of no less than one acre; and
- c) Receive building water service from City water system; or
- d) Have approved Development Agreements providing authority for septic tank or other private system approved prior to the adoption of this Code.

### 7.4 CONDITIONS:

For granting permission to construct a septic tank leach line system or other private disposal system the owner shall:

- a) Consent to future formation of an assessment district if said district is established by the City Council for the purpose of constructing sewers to serve said property.
- b) Connect said premises to the City sewer system, when available and directed to do so by the City Council.
- c) Construct septic tank and appurtenances in accordance with requirements of the Water Quality Control Board, Health Department, and City Building and Public Works Departments.
- d) Operate and maintain the private sewage disposal system and facilities in a sanitary manner at all times, at no expense to the City.

e) Grant to the City authority to enter premises for periodic inspection to ensure proper operation and maintenance.

f) Grant to the City authority to enter premises in the event of an emergency involving the system or a nuisance created by the system, which, in the sole opinion of the City, Health Department or Water Quality Control Board creates a hazard which threatens the health and safety of the citizens. The owner shall follow the instructions of City and any services rendered pursuant to the instructions shall be paid by the owner. Where a health hazard or nuisance is determined to exist City may revoke Certificate of Occupancy for buildings utilizing the private system.

g) Abandon private system in the time established in this Code when an order to do so has been issued by the City Council.

h) When a Sewer Main is available and owner is directed to connect to said main, the owner shall reimburse City, or the installer through the City Reimbursement account, for a prorated share of the cost of the installation of sewer main as directed by City. City shall determine rate of proration shares of reimbursement.

i) Construct a dry sewer from building plumbing system to curb or edge of pavement in the absence of curb.

#### 7.5 DURATION OF PERMITTED USE:

When permission to construct private system has been granted by City under the provisions of this Code the owner shall retain the right to service from the private system for no more than ten (10) years from the date of adoption of this Code, regardless of date of construction, unless City Sewerage System remains unavailable. If private system fails during the allowable 10 year period and City system is available then connection to City system shall be made.

#### 7.6 FEES:

Any applicable fees shall be as determined by the City, based on City costs for processing application and performing inspection and set by Resolution. Fees established by Water Quality Control Board and/or Health Department shall be paid by owner to the appropriate board or department and owner shall supply proof of payment prior to receiving permit.

## o) Any wastewater containing in excess of:

8.0	mg/l	aluminum
0.30	mg/l	arsenic
0.15	mg/l	beryllium
0.25	mg/l	cadmium
0.075	mg/l	cobalt
0.30	mg/l	copper
0.05	mg/l	chromium
0.20	mg/l	cyanide
1.50	mg/l	fluoride
7.50	mg/l	iron
0.05	mg/l	lead
0.115	mg/l	lithium
0.005	mg/l	mercury
0.30	mg/l	nickel
0.01	mg/l	selenium
2.00	mg/l	vanadium
2.00	mg/l	zinc
0.20	mg/l	M.B.A.S. (foaming agent)
0.001	mg/l	phenol
20.00	mg/l	ammonia
200.00	mg/l	sulfate
2.50	mg/l	boron

Any wastewater, other than water-softening regeneration brine, containing in excess of:

1000.0	mg/l	total dissolved solids
200.0	mg/l	sodium
150.0	mg/l	chloride

p) Commercial or industrial plants discharging water-softening brine shall be restricted in the concentrations of total dissolved solids, sodium, or chloride of the wastewater discharged. All plants shall make application to the city for a discharge permit. All applications shall include such things as daily water volume, pounds of sodium chloride, volume of portable exchange units regenerated, grains of hardness removed, method of disposal of brine waste and methods of internal controls to assure compliance of any established discharge limitations.

## q) Infectious Wastes:

1) Infectious wastes from hospitals, clinics, and mortuaries may be disposed of to the sanitary sewer system subject to the following limitations and requirements:

a) Pathologic specimens may not be disposed of to the sanitary sewer system.

b) The material shall be ground by an approved grinder having the capabilities of meeting or exceeding the following fineness: at least 40% shall pass a No. 8 sieve; at least 65% shall pass a No. 3 sieve, and 100% shall pass a 3/8" screen opening.

c) Ground organic kitchen waste from hospital food preparation and disposal facilities excluding all paper and plastic items may be discharged into the sanitary sewer system.

d) Disposable hypodermic needles, syringes, and associated articles following their use in hospitals, out-patient clinics, medical and dental offices, etc., may be ground and discharged to the sanitary sewer system subject to the same limitations described above.

e) The materials must not violate any other requirements of these rules and regulations.

## ARTICLE 8: PERMITS AND FEES

### 8.1 CONNECTION PERMIT:

No one shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance or perform any work on any plumbing or drainage system without first obtaining a written permit from the City.

### 8.2 CONNECTION PERMIT FEES:

Each connector shall pay at a rate established by City Resolution fees for the following:

- a) Permit Fee for each Connection Permit, which fee shall include the inspection of the connection of the building sewer to the lateral sewer.
- b) Additional fee for the inspection of the connection of the sewer line from the main sewer to the building sewer.
- c) Backflow Protective Device Inspection Fee providing a backflow protective device is required to be installed in accordance with this code.
- d) Industrial Sewer Connection Permit, which fee shall be paid for issuing a permit and inspecting an industrial building sewer installation.
- e) Septic Tank leach line or other Private System Permit, which fee shall be paid for issuing and processing a permit and inspection of installed system.

### 8.3 OUTSIDE SEWERS:

Permission shall not be granted to connect any lot or parcel of land outside the City to any public sewer in or under the jurisdiction of the City, unless a permit is obtained by direct approval of the City Council. The applicant shall first enter into a contract in writing whereby he shall bind himself, his heirs, his successors and assigns to abide by all ordinances, rules and regulations in regard to the manner in which such sewer shall be used, the manner of connecting therewith, and the plumbing and drainage in connection therewith. It shall be the Policy of the City to NOT grant outside sewer permits except where exceptional circumstances warrant and when benefit to the City will result by providing outside sewer service.

### 8.4 PERMIT OPTIONAL:

The granting of such permission for an outside sewer in any event shall be optional with the City Council.

### 8.5 SPECIAL OUTSIDE AGREEMENT:

Where special conditions exist relating to an outside sewer, they shall be the subject of a special contract between the applicant and the City.

### 8.6 TIME LIMIT ON PERMITS:

If work under a permit is not commenced within six months from the date of issuance or if after partial completion, the work be discontinued for a period of one year, the permit shall thereupon become void and no further work shall be



done until a new permit shall have been secured. A new fee shall be paid upon the issuance of said new permit. Permits issued as "will-serve" letters issued prior to the adoption of this code shall be in force for the time specified therein or one (1) year from the date of Code adoption whichever is the lesser time.

## ARTICLE 9: REIMBURSEMENT OF EXCESS COSTS

### 9.1 EXCESS COSTS:

Excess costs equal the sum of the following:

a) Oversizing: As provided in Article 4, "4.8 OVERSIZE AND OFF-DEVELOPMENT SEWERS", the estimated cost of installing the size of line required to serve the applicant's needs (12" minimum) and the actual cost of installing a larger line, at the direction of the City.

b) Off-development: A pro rata share of the costs of installing all sewer lines and appurtenances beyond the property line of installer where sewer lines are wholly outside the property of applicant and are subject to probable future use by connectors other than applicant.

### 9.2 APPROVAL OF EXCESS COSTS - CREDIT THEREOF TO REIMBURSEMENT ACCOUNT:

City shall have the right to audit the excess costs submitted by applicant, and to approve for reimbursement only so much thereof as it determines to be just and reasonable. Such excess cost, if any, shall be computed when said line is completed by applicant and accepted by the City, and said amount shall be credited in the name of the applicant to the Reimbursement Account for the segment or segments of the sewer system constructed by applicant.

### 9.3 SOURCE OF REIMBURSEMENT FUNDS:

a) Oversizing: The City will deposit in the applicant's Reimbursement Account the excess costs involved in installing oversize lines as described in "Excess Costs a) Oversizing", above.

b) Off-development Sewers: Funds for reimbursement of off-development sewers as described in "Excess Costs b) Off-development" above are obtained from future connections to said sewer.

### 9.4 DISBURSEMENT FROM REIMBURSEMENT ACCOUNT:

Semi-annually, all fees credited to each applicant's reimbursement account shall be disbursed to applicants.

### 9.5 TERMINATION OF RIGHT TO REIMBURSEMENT:

The applicant shall be carried on said Reimbursement Account until one of the following shall first occur:

a) Total Reimbursement: Distribution to applicant of an amount equal to total excess costs approved by the City.

b) Expiration of Agreement: The lapse of ten (10) years from date of acceptance by City of sewer into City Sewerage System.

c) Withdrawal: The withdrawal of said sewer lines or of the property sewerer thereby from the City.

Upon occurrence of (b) or (c) above, the City shall succeed to the reimbursement credit to the applicant, unless otherwise established by agreement, and shall be entitled to all payment due thereon.

## ARTICLE 10: SEWER SERVICE CHARGES

### 10.1 GENERAL:

The City has the right and shall levy a sewer service charge upon each premise, which is discharging sewage that ultimately passes through the sewer system of the City. The sewer service charge shall be established by City resolution and shall be adjusted from time to time as deemed necessary by the City Council. Such resolution shall provide a base rate which may be established by user group with rates set by reasonable benefit from ability to discharge into the City's sewer system.

### 10.2 OUTSIDE USERS:

The applicant shall agree to pay all fees and charges for securing a permit and a monthly fee in an amount set for outside users by resolution for the privilege of using such sewer.

### 10.3 WHEN SERVICE CHARGES ARE DUE:

All accounts are due upon receipt and payable at City Hall. Bills are sent as a courtesy and failure to receive a bill does not relieve owner of responsibility to pay, or of penalties levied for non-payment.

## ARTICLE 11: ANNEXATION REQUIREMENTS

### 11.1 CONDITIONS:

As a condition of annexation to the City, (or connection to the City Sewerage System) the owners of property petitioning for annexation or sewer service shall, as a condition precedent thereto, pay to the City the applicable sums:

- a) Processing Costs - The actual cost of preparation of maps, legal descriptions, publication charges, and any and all other applicable charges.
- b) Fees - Amounts fixed by the City as contribution of such areas annexed or serviced toward the costs of the City's then existing sewerage system.

### 11.2 PAYMENT OF PROCESSING COSTS AND FEES:

The fees shall be paid prior to the issuance of a permit as called for in this Code.

In addition to the requirement of payment of fees prior to issuance of a permit, a further requirement shall be the necessity of paying all fees prior to the issuance of a City Building Permit, or the approval by the City of a final tract map, or approval by the City of any other form of map or description for a development which requires sewer service.

### 11.3 ADJUSTMENT OF COSTS AND FEES:

The City Council reserves the right to adjust the above costs and fees or provide for additional terms and conditions at or before any meeting or public hearing on any annexation.

## ARTICLE 12: LIABILITY AND ENFORCEMENT

### 12.1 LIABILITY:

The City and its officers, agents and employees shall not be answerable for any liability or injury or death to any person or damage to any property during or growing out of the performance of any work by any such applicant or agent of applicant. The applicant shall be answerable for, and shall save the City and its officers, agents and employees harmless from any liability imposed by law upon the City or its officers, agents or employees, including all costs, expenses, fees and interest incurred in defending same or in seeking to enforce this provision. Applicant shall be solely liable for any defects in the performance of applicants work or any failure which may develop therein.

### 12.2 LIABILITY FOR VIOLATION:

Any person violating any of the provisions of this Code shall become liable to the City for any expense, loss or damage occasioned by the City by reason of such violation.

### 12.3 ENFORCEMENT:

a) Any person found to be violating any provision of this Code shall be served by the City Manager or other authorized person with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof.

The offender shall, within the period of time stated in such notice, permanently cease all violations. All persons shall be held strictly responsible for any and all acts of agents or employees done under the provision of this Code. Upon being notified by the City Manager of any defect arising in any sewer or of any violation of this Code, the person or persons having charge of said work shall immediately correct the same.

b) Continued habitation of any building or continued operation of any industrial facility in violation of the provisions of this Code is hereby declared to be a public nuisance. The City may cause proceedings to be brought for the abatement of the occupancy of the building or industrial facility during the period of such violation.

c) As an alternative method of enforcing the provisions of this Code, the City Manager shall have the power to disconnect the user from the sewer mains of the City. Upon disconnection, the City Manager shall estimate the cost of disconnection and reconnection to the system, and such user shall deposit the cost, as estimated, of disconnection and reconnection before such user is reconnected to the system. The City Manager shall refund any part of the deposit remaining after payment of all costs of disconnection and reconnection.

d) During the period of such disconnection, habitation of such premises by human beings shall constitute a public nuisance, whereupon the City shall cause proceedings to be brought for the abatement of the occupancy of said premises by human beings during the period of such disconnection. In such event, and as a condition of reconnection, there is to be paid to the City a reasonable attorney's fee and cost of suit arising in said action.

e) The City hereby declares that the foregoing procedures are established as a means of enforcement of the terms and conditions of this Code and not as a penalty.

f) Section 6523 of the Health and Safety Code of the State of California provides that the violation of an ordinance, rule or regulation of the City by any person is a misdemeanor. Each and every connection or occupancy in violation of this Code shall be deemed a separate violation and each and every day or part of a day a violation of the Code continues shall be deemed a separate offense hereunder and shall be punishable as such.

2) The following shall not be discharged to the sanitary sewer system by any means:

a) Solid wastes generated in the rooms of patients who are isolated because of a suspected or diagnosed communicable disease.

b) Recognizable portions of the human anatomy.

c) Wastes excluded by other provisions of this title except as specifically permitted in this section.

3) All hospitals within the limits of the City desiring to dispose of a ground "infectious waste" by discharge into facilities of the City shall first have a valid Hospital Waste Discharge Permit. All applicants for such permits shall fill out completely the application form, pay the appropriate fee, receive a copy of the City regulations governing discharge of ground hospital wastes, and shall agree in writing to abide by the regulations. The Hospital Waste Discharge Permit shall be valid for one year from date of issuance.

4) Nothing in this section shall be construed to limit the authority of the Health Officer of San Luis Obispo County to define wastes as being infectious.

Section 3. Condition to Use Sewer As a condition of maintaining any connection for a lateral or other sewer line to the sewer system, the users of the system and all future applicants for permission to connect, shall be required to prevent the discharge of prohibited substances into the laterals or other sewer lines connected with the City sewer and sewer treatment system and all such users shall take such reasonable and necessary measures, as may from time to time be prescribed by the City Council to make effective enforcement of this prohibition. Any requirement imposed by the Water Quality Control Board that is greater than or in addition to the above shall be the controlling requirement.

Section 4. Connection Permit. No one shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance, or perform any work on any plumbing or drainage system within the City's public right-of-way without first obtaining a written permit from the City.

Section 5. Violation Unlawful. Except as the Operations Code may otherwise permit, following the effective date of this Ordinance, it shall be unlawful for any person to connect to the City sewerage facilities except in the manner provided by the Operations Code. Any person violating the provisions of the Operations Code shall be deemed guilty of a misdemeanor unless otherwise deemed to be an infraction by City ordinance or resolution and shall, upon conviction thereof, be punished by a fine consistent with the maximum provided for a misdemeanor, or by a fine set as an infraction, or by imprisonment in the County jail.

All persons shall be held strictly responsible for any and all acts of agents or employees done under the provisions of the Operations Code or any other rule or regulation of the City. Upon being notified by the City Engineer of any defect arising in any sewer or of any violation of this Code, the person or persons having charge of said work shall immediately correct the same. Continued habitation of any building or continued operation of any facility in violation of the provisions of this Code or any other rule or regulation of the City is hereby declared to be a public nuisance. The City may cause proceedings to be brought for the abatement of the occupancy of the building or facility during the period of such violation.

Section 6. Liability. Section 6523 of the Health and Safety Code of the State of California provides that the violation of an ordinance, rule, regulation or Operations Code of the City is a misdemeanor. Each and every connection or occupancy in violation of the sewerage system Operations Code of the City as adopted by this Ordinance shall be deemed a separate violation and each and every day and part of a day a violation of this Code continues shall be deemed a separate offense hereunder and shall be punishable as such.

PASSED AND ADOPTED THIS 20th day of September, 1988 by the following roll call vote:

AYES: Ovitt, Dolan, Russell, Reneau and Martin

NOES: None

ABSENT: None

ABSTAINED: None

  
MAYOR STEVEN U. MARTIN

ATTEST:

  
CITY CLERK, JERRY BANKSTON



OPERATIONS CODE  
GENERAL PROVISIONS

**TITLE:**

These General Regulations shall be known as the Sewerage System Operations Code of the City of El Paso de Robles.



**PURPOSE AND POLICY:**

These wastewater discharge regulations set uniform requirements for discharges of domestic and industrial waste and drainage water in the City sewerage system to enable the City to comply with the administrative provisions of the Clean Water Grant Regulations, water quality requirements set by the Water Quality Control Board and the applicable effluent limitations, national standards of performance, toxic and pretreatment effluent standards, and any other discharge criteria which are required or authorized by State and Federal law, and to derive the maximum public benefit by regulating the quality and quantity of wastewater discharged into those systems.

**PENDING PROCEEDINGS:**

Any action or proceeding commenced before this Code takes effect and any right accrued is not affected by this Code, but all procedure thereafter taken shall conform to the provisions of this Code.

**GIVING NOTICE:**

Unless expressly provided otherwise, any notice required to be given to any person by any provision of this Code may be given by mailing notice, postage prepaid, addressed to the person to be notified at the person's residence or principle place of business. The affidavit of the person who mails the notice, stating the facts of such mailing, is prima facie evidence that the notice was thus mailed.

## OPERATIONS CODE

### DEFINITIONS

#### ACREAGE:

Of a parcel of land is the gross acres of said parcel before existing improved streets have been deducted.

#### APPLICANT:

The person making application for a permit for a sewer or plumbing installation and shall be the owner or authorized agent of premises to be served by the sewer for which a permit is requested.

#### ASSESSOR:

The assessor of San Luis Obispo County.

#### BUILDING:

Any structure used for human habitation or a place of business, recreation or other purpose containing sanitary facilities.

#### BUILDING SEWER:

Means that portion of any sewer beginning at the plumbing or drainage outlet of any building or facility and running to the property line, or to a private sewage disposal system, or to a public way or easement.

#### CONNECTOR:

Any owner or renter of any premise connected to the sewer system.

#### CONTRACTOR:

An individual firm, corporation, partnership, or association duly licensed by the State of California to perform the type of work to be done under the permit.

#### DOMESTIC SEWAGE:

Is a combination of liquids or water carrying human waste, laundry water and kitchen waste from residential, business or institutional buildings.

#### DWELLING UNIT:

Fixture units are tabulated in accordance with the Uniform Plumbing Code, 1985 Edition, Chapter 4, Section 402, Table 4-1; eighteen (18) fixture units equate to one dwelling unit.

**FRONTAGE:**

Is normally the distance in feet that a parcel of land abuts on an existing street.

**HEALTH DEPARTMENT:**

Means State or County Health Department.

**INDUSTRIAL SEWAGE:**

Is a combination of liquid or water-carried waste resulting from a manufacturing process employed in industrial establishments, including the washing, cleaning or drain water from such process. This includes laundry water from commercial establishments.

**INSPECTOR:**

Means the Inspector acting for the City.

**INSTALLER:**

Is any person who installs main or lateral sewers within the City Service area for connection to the City sewerage system.

**LATERAL SEWER:**

Means the portion of sewer lying within a public way or easement connecting a building sewer to the main sewer.

**MAIN SEWER:**

Means a public sewer designated to accomodate more than one lateral sewer, in which all owners of abutting properties have equal rights and is controlled by public authority.

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES PERMIT):**

The Program for issuing, conditioning and denying permits for the discharge of pollutants from point sources into the navigable waters, the contiguous zone, and the oceans pursuant to Section 402 of the Federal Water Pollution Control Act Amendments of 1972 (PL 92-500).

**PERMIT:**

Means any written authorization required pursuant to this or any other regulation for the installation of any sewage works, or any discharge thereto.

**PLUMBING SYSTEM:**

Means all plumbing fixtures and traps, or soil, waste, special waste and vent pipes, and all sanitary sewer pipes within a building and extending to the building sewer connection three (3) feet outside the building wall.

**PREMISE:**

Is any lot, parcel of land, building or establishment.

**PRIVATE SEWER:**

Means a sewer serving an independent sewage disposal system not connected with a public sewer and which accomodates one or more buildings.

**PUBLIC SEWER:**

Means a sewer lying within a public way or easement and which is controlled by or under the authority of the City.

**WATER QUALITY CONTROL BOARD:**

Means State or Regional office of Water Quality Control Board.

**SANITARY SEWER:**

Means a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

**SEWER:**

Means a pipe or conduit for carrying sewage.

**SEWERAGE SYSTEM:**

Is the collecting system of sewers, appurtenances, pumping stations, treatment works, means of disposal of effluent and sludge, and all other works necessary to complete the collection, treatment, and disposal of sewage.

**STORM WATER:**

Is rain water, surface water, ground water, roof runoff, sub-surface drainage, cooling water, or unpolluted industrial process waters.

**STREET:**

Means any public highway, road, street, avenue, alley, way, public place, public easement or right-of-way.

**UNIT:**

One unit is equal to 330 gallons per day, or 44 cubic feet per day.